

**CERTIFICATE OF SERVICE**

I, Ralph Sianni, an associate with the law firm Milberg Weiss Bershad & Schulman LLP, hereby certify that I caused a true and correct copy of the following to be served by regular U.S. Mail to all parties listed on the attached service list on this 14<sup>th</sup> day of June 2005:

MEMORANDUM OF LAW IN SUPPORT OF MOTION OF THE JAMES GROUP FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF AND FOR APPROVAL OF ITS SELECTION OF LEAD COUNSEL; and

/s/ Ralph N. Sianni

Ralph N. Sianni (#4151)

**Xybernaut Corporation**

**SERVICE LIST**

**Counsel for Plaintiffs:**

Thomas A. Holman  
**HOLMAN LAW OFFICE**  
One Pennsylvania Plaza - Suite 4632  
New York, NY 10119  
212.699.4596 (Tel)  
212.947.9967 (Fax)

James E. Miller  
Patrick A. Klingman  
Karen M. Leser  
**SHEPERD, FINKELMAN, MILLER & SHAH, LLC**  
65 Main Street  
Chester, CT 06412  
860.526.1100 (Tel)  
860.526.1120 (Fax)

Jack Landskroner  
Paul Grieco  
**LANDSKRONER, GRIECO, MADDEN, LTD.**  
1360 West 9<sup>th</sup> Street, Suite 200  
Cleveland, OH 44113  
216.522.9000 (Tel)  
216.522.9007 (Fax)

William B. Federman  
Wm. Pat Wasson  
**FEDERMAN & SHERWOOD**  
120 N. Robinson, Suite 2720  
Oklahoma City, OK 73102  
405.235.1560 (Tel)  
405.239.2112 (Fax)

Jessica Zeldin  
**ROSENTHAL, MONHAIT, GROSS & GODDESS, P.A.**  
919 N. Market Street, Suite 1401  
P.O. Box 1070  
Wilmington, DE 19899  
302.656.4433 (Tel)  
302.658.7567 (Fax)

Scott R. Sheperd  
James C. Shah  
**SHEPERD, FINKELMAN, MILLER & SHAH, LLC**  
35 East State Street  
Media, PA 19063  
610.891.9880 (Tel)  
610.891.9883 (Fax)

Andrew M. Schatz  
Jeffrey S. Nobel  
**SCHATZ & NOBEL**  
One Corporate Center  
20 Church Steet  
Hartford, CT 06103  
860.493.6292 (Tel)  
860.493.6290 (Fax)

Jules Brody  
Aaron Brody  
Tzivia Brody  
**STULL, STULL & BRODY**  
6 East 45<sup>th</sup> Street  
New York, NY 10017  
212.687.7230 (Tel)  
212.490.2022 (Fax)

Joseph H. Weiss  
**WEISS & LURIE**  
551 Fifth Avenue  
New York, NY 10176  
212.682.3025 (Tel)  
212.682.3010 (Fax)

Pamela S. Tikellis  
Robert J. Kriner  
A. Zachary Naylor  
Robert Davis  
**CHIMICLES & TIKELLIS LLP**  
One Rodney Square  
P.O. Box 1035  
Wilmington, DE 19899  
302.656.2500 (Tel)  
302.656.9053 (Fax)

Bruce Murphy  
**LAW OFFICE OF BRUCE MURPHY**  
265 Llwyds Ln.  
Vero Beach, FL 32963  
772.231.4202 (Tel)  
772.234.6608 (Fax)

Eric J. Belfi  
**MURRAY, FRANK & SAILER LLP**  
275 Madison Avenue - 8<sup>th</sup> Floor  
New York, NY 10016  
212.682.1818 (Tel)  
212.682.1892 (Fax)

Steven J. Toll  
Daniel S. Sommers  
Jason M. Leviton  
Scott L. Adkins  
**COHEN, MILSTEIN, HAUSFELD & TOLL, P.L.L.C.**  
1100 New York Avenue, NW  
Suite 500, West Tower  
Washington, DC 20005  
202.408.4600 (Tel)  
202.408.4699 (Fax)

Lionel Z. Glancy  
Michael Goldberg  
Dale MacDiarmid  
**GLANCY BINKOW & GOLDBERG LLP**  
1801 Avenue of the Stars, Suite 311  
Los Angeles, CA 90067  
301.201.9150 (Tel)  
301.201.9160 (Fax)

Robert M. Roseman  
Andrew D. Abromowitz  
**SPECTOR, ROSEMAN & KODROFF, P.C.**  
1818 Market Street, Suite 2500  
Philadelphia, PA 19103  
215.496.0300 (Tel)  
215.496.6611 (Fax)

**Counsel for Defendants:**

Robert Plotkin  
**McGUIRE & WOODS LLP**  
Washington Square  
1050 Connecticut Avenue, NW  
Suite 1200  
Washington, DC 20036  
202.857.1700 (Tel)  
202.857.1737 (Fax)

Edward M. Posner  
Susan M. Kennedy  
**DRINKER BIDDLE & REATH, LLP**  
One Logan Square  
18<sup>th</sup> & Cherry Streets  
Philadelphia, PA  
215.988.2700 (Tel)  
215.988.2757 (Fax)

***Counsel for Xybernaut Corporation***

Laurence V. Cronin  
**SMITH, KATZENSTEIN, FURLOW LLP**  
The Corporate Plaza  
800 Delaware Ave.  
P.O. Box 410  
Wilmington, DE 19899  
302.652.8400 (Tel)  
302.652.8405 (Fax)

Mark W. Ryan  
Andrew J. Morris  
**MAYER, BROWN, ROWE & MAW**  
1909 K Street  
Washington, DC 20006  
202.263.3252 (Tel)  
202.263.3300 (Fax)

***Counsel for Grant Thornton LLP***

Bernard J. DiMuro  
John M. Tran  
**DIMURO, GINSBERG & MOOK, P.C.**  
908 King Street, Suite 200  
Alexandria, VA 22314  
703.684.4333 (Tel)  
703.548.3181 (Fax)

Michael F. Bonkowski  
**SAUL EWING LLP**  
222 Delaware Avenue, Suite 1200  
P.O. Box 1266  
Wilmington, DE 19899-1266  
302.421.6863 (Tel)  
302.421.5869 (Fax)

***Counsel for Edward Newman***

Robert Scully, Jr.  
**REES, BROOME & DIAZ, P.C.**  
8133 Leesburg Pike  
Ninth Floor  
Vienna, VA 22182  
703.790.1911 (Tel)  
703.848.2530 (Fax)

***Counsel for Edward Newman***

Bruce C. Hayden  
**C/O XYBERNAUT CORPORATION**  
12701 Fair Lakes Circle, Suite 550  
Fairfax, VA 22033  
703.631.6925 (Tel)

***Counsel for Steven Newman***